

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOSEPHUS M. PETAWAY,)	CASE NO. 4:11CV02529
)	
Plaintiff,)	JUDGE BENITA Y. PEARSON
)	
v.)	
)	
VINCENT BURTON.,)	
)	<u>MEMORANDUM OF OPINION AND</u>
Defendant.)	<u>ORDER</u> (Resolving ECF No. 4)

This matter is before the Court upon *Pro se* Plaintiff Josephus Petaway's Motion to Rescind February 14, 2012 Order to Deduce \$350.00 Filing Fee. [ECF No. 4](#). The Court notes that the docket reflects that Plaintiff paid the full filing fee of \$350.00 on December 9, 2011. Petaway's motion, therefore, is well taken.

Accordingly, Plaintiff's Motion to Rescind is granted ([ECF No. 4](#)). The Court further orders that its Order dated February 14, 2012 is vacated.

IT IS SO ORDERED.

February 23, 2012

Date

/s/ Benita Y. Pearson

Benita Y. Pearson
United States District Judge